IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

MONDAY, THE 19TH MARCH 2007 / 28TH PHALGUNA 1928

WP(C).No. 7245 of 2007(K)

PETITIONER:

ANNIE MASCREEN J.,
VAZHOTTU PUTHEN VEEDU, KANDACHIRA,
PERINADU P.O., KOLLAM.

BY ADV. SRI.D.AJITHKUMAR

RESPONDENTS:
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1. CHIEF SECRETARY TO GOVERNMENT,
THIRUVANANTHAPURAM.

2. DISTRICT COLLECTOR,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO.7245 of 2007

Dated this the 19th day of March, 2007

JUDGMENT

The petitioner appeared along with other candidates for direct recruitment to posts in Class III categories reserved for physically challenged persons. The grievance of the petitioner is that she has not been included in the ranked list published after the written test. It is contended that she had fared well in the examination, and therefore, she ought to have found a place in the ranked list. The petitioner has not produced the copy of the ranked list. Counsel submits that under the Right to Information Act, an application has been filed for supply of the ranked list, but even before getting a copy of the same, the petitioner has filed this writ petition so as to see that those who are included in the ranked list are not appointed in preference to the petitioner. Counsel submits that the respondents may be directed to revalue the answer script of the petitioner. As far as the second prayer is

concerned, it is seen that no application has been filed by the petitioner before the respondents. The question of directing the respondents to consider the request of the petitioner for revaluation of the answer script arises only if the petitioner had made such a request. The petitioner having not made any such representation, so far. Hence no question of issuance of writ of mandamus arises.

2. As far as the first prayer is concerned, it may not be possible for this Court to act on the ipsi dixit of the petitioner that she had fared well in the examination. The petitioner herself feels that her answer script may have to be subjected to recomputation of the marks or revaluation. The petitioner need work out the course of action she will have to pursue only after she knows the result of the marks she may secure, finally, in the written test. Reserving the right of the petitioner to seek remedies against the ranked list, if and when a copy of the same is received, this petition is dismissed.

K.K.DENESAN, JUDGE

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